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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,983	11/26/2001	Gernot M. Hirse	22750/508	2845

26646 7590 09/25/2002

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EXAMINER

GRAHAM, GARY K

ART UNIT

PAPER NUMBER

1744

DATE MAILED: 09/25/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/994,983

Applicant(s)

HIRSE, GERNOT M.

Examiner

Gary K Graham

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 11-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 11-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The following is exemplary only. Applicant should review all the claims for like deficiencies.

In claim 11, line 5, defining that the arms are connected with the back of the carrier plates appears improper. It appears the arms merely contact or engage the back of the carrier plates but are not actually connected therewith. In line 6, there is no antecedent basis for "the back".

In claim 12, line 2, there is no antecedent basis for "their extended position". The extended position has not been established for the plates.

In claim 13, line 3, there is no antecedent basis for "the free plate end".

In claim 15, line 1, there is no antecedent basis for "the end".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11, 13-17, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaughn '744 in view of Altrock '025.

The patent to Vaughn discloses a floor mop (figs. 14-19) substantially as is claimed, including a pair of carrier plates (66) pivotally connected to a center piece (62), a mop handle (20) coupled with the center piece, a wringer slide (46) mounted on said handle in non-rotatable fashion by slot/pin (71,72) and said wringer slide having arms (49) extending therefrom with rollers (50) thereon. Said rollers are adapted to engage rising guide surfaces (34') provided on the back of said carrier plates.

The patent to Vaughn discloses all of the above recited subject matter with the exception of the handle being coupled with the center piece via a cardan or universal joint and the roller being a ball.

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The patent to Altrock discloses a wringer mop (figs. 1,5) with pivotally mounted carrier plates (19,20) including guide surfaces (32,33) on backs thereof which are engaged by roller wheel elements (28,29) provided on arms of operating element (3). A universal joint is provided between the mop handle (1) and the mop head (2). Altrock employs the universal joint to enable increased maneuverability of the mop by a user.

It would have been obvious to one of skill in the art to provide the mop of Vaughn with a universal joint between the handle and the mop head or center piece, as clearly suggested by Altrock, to enable increased maneuverability of the mop head

With respect to claim 17, while Vaughn employs a roller wheel, use of a roller ball would be well within that which one of skill in the art would find obvious. Roller balls and roller wheels are recognized art equivalent structures when providing movable contact between surfaces. It would have been obvious to one of skill in the art to provide roller balls instead of a roller wheels for the mop of Vaughn as a mere choice of contact structures, lacking any criticality of such structure.

With respect to claim 19, the rollers are considered to define convex surfaces.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vaughn '744 in view of Altrock '025 as applied to claim 11 above, and further in view of Richardson et al '783.

The patents to Vaughn and Altrock disclose all of the above recited subject matter with the exception of a spring device to move the carrier plates to an extended position.

The patent to Richardson discloses a wringer floor mop that employs a spring device (56) to move the carrier plates (44,46) to their extended position.

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It would have been obvious to one of skill in the art to provide the mop of Vaughn with springs, as clearly suggested by Richardson, to help motivate the carrier plates to their extended position after wringing. Use of return springs is well known.

Allowable Subject Matter

Claims 18, 20 and 21 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary K Graham whose telephone number is 703-308-1270. The examiner can normally be reached on Tuesday to Friday (6:30-4:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Warden can be reached on 703-308-2920. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.



GARY K. GRAHAM
PRIMARY EXAMINER
GROUP 1700

GKG
September 23, 2002